

COAC Pre-Decisional Draft – Web Version

1 US GOVERNMENT AT THE BORDER CBP CPSC WORKING GROUP REPORT

April 2015

Recommendations on CPSC Alpha Pilot

Statement of Work (Version 1 of 3)

"Purpose of the COAC 1 USG Consumer Product Safety Commission Working Group (1USG CPSC) is to facilitate a dialogue between CPSC, CBP and the broader trade community on the flow of information between the trade, CBP, and CPSC, assuring the potential data collected in a PGA message is streamlined affording CBP and CPSC strong risk assessment tools without causing significant disruption to the supply chain."

The 1 USG CPSC working group recognizes the need to have well defined and understood criteria for a CPSC alpha pilot within ACE / Single Window from both CBP and CPSC as the pilot relates to the various trade members (Carriers, Customs Brokers, Importers and other parties).

1. The COAC recommends that CBP and CPSC work with the trade community to ensure the Alpha Pilot includes a variety of importers (small, medium, large) as well as a variety of modes of transportation such as air, ocean, truck, rail, and courier. In addition the Alpha Pilot should test both manual data input to the registry and electronic batch upload data received directly from importers. Lastly, the Alpha Pilot should also test a full PG message set with all requisite data elements and a limited PG message set with only the Registry number provided.
2. The Alpha pilot will include many different stakeholders (e.g. quality assurance departments, trade compliance departments, customs brokers) who have traditionally not been involved with either the CPSC product safety requirements or the CBP import process. The COAC recommends that CBP, CPSC and the trade community work together to ensure substantial multi—directional training, engagement and outreach is conducted for all parties prior to the beginning of the Alpha Pilot.
3. The COAC recommends that CBP work with CPSC to ensure the proposed Alpha Pilot is consistent with the Executive Order on Single Window. The Alpha Pilot should be limited to the data that CPSC is currently authorized to collect with a focus on streamlining the flow of critical information CPSC needs in order to conduct effective risk assessment for admissibility purposes. It is important to note that currently the Certificates of Compliance are in paper form, and the trade community will undertake a significant burden and expense to translate those documents into a PG Message set for CPSC's risk analysis. CPSC should gather information from the TSN ITDS CPSC working group on the PGA message set data requirements prior to conducting the Alpha Pilot. CPSC should make every effort to evaluate the expense for software development and the import surveillance value of the pilot prior to developing the software for the Alpha Pilot.

4. The COAC recommends that CBP work with CPSC and other PGAs through the Border Interagency Executive Council (BIEC) to develop a Trusted Trader program to create the opportunity for highly compliant importers to reduce the burden of the data collection and transmission. A Trusted Trader program should consider a tiered approach to data collection, the Registry process and import surveillance, with a view towards reduced examinations, and explore other defined benefits.
5. The COAC recommends that CBP work with CPSC to conduct a cost benefit analysis prior to the start of the Alpha Pilot to evaluate the expense and the import surveillance value of the pilot to CPSC, CBP, and to the trade and that CPSC should further consult with the trade prior to a Beta Pilot or final rulemaking.
6. The COAC recommends that CBP work with CPSC to establish a means for CPSC to be directly involved in the discussions with any future CPSC related working group engagement in order for the working group to be most effective.